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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/878,567	06/11/2001	John M. Baron	10005222-1	3288

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Intellectual Property Administration
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EXAMINER

TRAN, NHAN T

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/878,567

Applicant(s)

BARON, JOHN M.

Examiner

Nhan T. Tran

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/4/2005 & 6/11/2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 17-27 and 32-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 17-27 and 32-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election *without* traverse of invention I corresponding to claims 1-13, 17-27 and 32-36 in the reply filed on 10/4/2005 is acknowledged. Claims 14-16 and 28-31 have been canceled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, 6, 8, 11, 17, 18, 20, 22, 25, 32 & 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Nishimura Yoshihiko (JP 05-199451).

Regarding claim 1, Yoshihiko discloses an electronic device (a video camera apparatus, Fig. 2) comprising:

a support socket (12, 24; Fig. 2);

a support sensor (26; Fig. 2) configured to detect a support (a tripod) connected to said support socket (see Abstract and [0024]).

Regarding claims 2 & 3, Yoshihiko clearly discloses that the electronic device (the video camera) changes a mode of operation (by canceling image stabilizer) when a support is detected by said support sensor (see [0024]).

Regarding claims 5 & 6, see the analyses of claims 2 & 3 for disabling or canceling the image stabilizer when the video camera is fixed to the support.

Regarding claim 8, Yoshihiko also discloses that the user may turn off the image stabilizer by using switch 2 as shown in Fig. 4 and [0023], wherein if the switch 2 is turned off (logic Low shown in the last two rows of first column of the table), the image stabilizer is always OFF. Thus, the mode of operation does not change at all.

Regarding claim 11, Yoshihiko further discloses that the support socket is a tripod quick release plate (plate 12 shown in Fig. 2, wherein the camera is quickly released from tripod by unscrewing knob 17).

Regarding claim 17, Yoshihiko discloses an electronic device (a video camera; Fig. 2) comprising:

- means (12, 24) for attaching said electronic device to a support (a tripod);
- means (sensor 26) for detecting when the device is attached to the support; and
- means for changing a mode of operation (canceling image stabilizer) of the device when the device is attached to the support (see Abstract, Fig. 2, [0024]).

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Regarding claims 18, 20 & 22, see the analyses of claims 3 & 5.

Regarding claim 25, see the analysis of claim 11.

Regarding claim 32, see the analysis of claim 17.

Regarding claim 35, see the analysis of claim 3.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 12-13, 26-27 & 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishimura Yoshihiko (JP 05-199451) in view of Wheeler (US 5,406,348).

Regarding claims 12 & 13, Yoshihiko discloses the electronic device having features of changing mode of operation when a support is detected as analyzed in claims 1 & 2 but fails to disclose that the changed mode of operation includes changing a first shutter speed to a second shutter speed, and changing a first aperture to a second aperture, wherein the second shutter

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speed is slower than the first shutter speed, and the second aperture is smaller than the first aperture.

However, as taught by Wheeler, a mode of operation of a camera is changed when the camera is mounted on a tripod. Wheeler teaches that the camera's shutter speed is automatically changed from Normal (1/100 sec) to Extended (1/15 sec) which is slower shutter speed, and the camera's aperture is changed from Large aperture (f/4.0) to Mid aperture (f/5.6) which is smaller aperture when the camera is mounted on a tripod for taking a portrait scene in low light condition. See Wheeler, Fig. 4, col. 8, lines 1-17 and col. 6, line 58 – col. 7, line 3.

Therefore, it would have been obvious to one of ordinary skill in the art to modify the camera apparatus in Yoshihiko to include the teaching of Wheeler by changing the shutter speed from normal to slower shutter speed (longer exposure time) and changing the aperture from large to smaller aperture size when the camera is mounted on a support so as to enable the user to take images with optimum exposure to improve image quality in low light condition.

Regarding claims 26 & 27, see the analyses of claims 12 & 13.

Regarding claims 33 & 34, see the analyses of claims 12 & 13.

4. Claims 7, 9-10, 21 & 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishimura Yoshihiko (JP 05-199451) in view of Hiesinger et al (US 5,785,286).

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Regarding claims 9 & 10, Yoshihiko does not explicitly teach that the support socket is $\frac{1}{4}$ inch – 20 threaded tripod socket, or $\frac{3}{8}$ inch threaded tripod socket. Hiesinger discloses that it is well known in the art for a tripod socket to be $\frac{3}{8}$ inch threaded or $\frac{1}{4}$ inch threaded socket suitable for photographic and optical instruments such as telescope, camera and the like (see Hiesinger, col. 1, lines 13-24).

Therefore, it would have been obvious to one of ordinary skill in the art to make the support socket in Yoshihiko as a $\frac{1}{4}$ inch – 20 threaded or $\frac{3}{8}$ inch threaded socket depending on models and/or specific need of photographic instruments in view of Hiesinger.

Regarding claims 23-24, see the analyses of claims 9 & 10.

Regarding claims 7 & 21, Yoshihiko fails to disclose that the electronic device is a pair of image stabilized binoculars. Instead, the electronic device is a stabilized video camera. However, Hiesinger suggests that the photographic and optical instruments can be telescope, camera and the like which is understood by one skilled in the art that a pair of binoculars would be also included as one of the photographic and optical instruments (see Hiesinger, col. 1, lines 13-24). Therefore, it would have been obvious to one of ordinary skill in the art to implement not only a stabilized video camera but would also construct a pair of image stabilized binoculars having similar features of image stabilization in the field of photographic and optical instruments as suggested by Hiesinger.

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5. Claims 4, 19 & 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishimura Yoshihiko (JP 05-199451).

Regarding claim 4, Although Nishimura does not mention that the disclosed video camera is a digital camera, Nishimura describes in the background of the invention that the video camera comprises an A/D converter for converting analog signal into a digital signal (see [0004] – [0005]) which also constitutes a digital camera in general.

Therefore, it would have been obvious to one of ordinary skill in the art to easily recognize that the video camera would also be a digital camera by virtue of the A/D converter for improving signal to noise ratio over analog counterpart.

Regarding claims 19 & 36, see the analysis of claim 4.

Conclusion


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T. Tran whose telephone number is (571) 272-7371. The examiner can normally be reached on Monday - Thursday, 7:30am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NT.



DAVID L. OMETZ
SUPERVISORY PATENT
EXAMINER